

**LAWS OF 1950
RELATING TO THE
CALIFORNIA PUBLIC
SCHOOL SYSTEM**

CALIFORNIA SCHOOLS

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LAWS OF 1950 RELATING TO THE CALIFORNIA PUBLIC SCHOOL SYSTEM

This publication contains the text of laws enacted during the 1950 Regular Session and 1950 First Extraordinary Session of the California Legislature, exclusive of the Budget Act of 1950, that relate to the Public School System, including those amendatory of laws other than the Education Code which appeared in the 1949 edition of the Education Code. The text of certain resolutions adopted during the sessions is also included.

The effective date of all measures contained herein enacted during the 1950 Regular Session is July 4, 1950, and the effective date of all measures contained herein enacted during the 1950 First Extraordinary Session is July 15, 1950, unless otherwise noted.

Each note appearing in small type in the body of the bulletin applies to all the provisions that follow the note next preceding.

CHANGES IN THE EDUCATION CODE

1601.5. Notwithstanding the provisions of Section 1601 or of any other provision of this code, an elementary school district withdrawing from a union high school district to join another union high school district which has acquired a site for school buildings within the boundaries of the elementary school district pursuant to Section 1596.1, shall not be liable for any portion of the bonded indebtedness of the union high school district from which it is withdrawing which is authorized or incurred subsequent to the effective date of this section if a notice of intention to initiate proceedings to withdraw such territory, signed by not less than 5 percent of the qualified electors residing within the territory, is filed with the governing board of the union high school district from which withdrawal is sought not less than 14 days prior to the date such bond issue is submitted to the voters for approval, and if the territory withdrawing assumes liability for the outstanding bonded indebtedness of the union high school district of which it is made a part by a vote of two-thirds of the electors of the elementary district voting at an election called for that purpose in accordance with applicable provisions of this code. If withdrawal proceedings are not completed by February 1st of the school year in which they are commenced, the notice shall have no further effect.

Added by Chapter 36, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 27, 1950. Effective immediately.

Sec. 2 of said Chapter 36 provides as follows:

"Sec. 2. Section 1601.5 of the Education Code as added by this act shall have no force or effect after July 1, 1951."

5048. Each school district which desires an apportionment for a grade level maintained by it, shall submit through its governing board to the board an application therefor in such form and number of copies as the board shall prescribe. Each copy of the application shall be accompanied by a statement of the estimated cost of the project certified by an architect or structural engineer, and by layout plans showing the entire project for which the district desires an apportionment. Estimates of cost for new construction appearing in an application shall not exceed typical current costs of comparable new construction by school districts in the same area not receiving or not eligible for apportionment under this chapter, as determined by the Director of Finance, or if there has been no new construction by school districts in the area, the estimates of cost shall not exceed the reasonable current cost of similar construction in the area as determined by the Director of Finance. Immediately upon receipt of an application in the prescribed form accompanied by the required estimate of cost, a copy thereof shall be transmitted by the board to the director and to the Director of Finance.

A school district may at any time amend or supplement its application.

The Director of Finance shall determine the school district's financial ability to meet all or a portion of the cost of the project and the amount which the school district can contribute toward the cost of the project out of its available funds, and shall submit his report thereon to the board.

The director shall as promptly as possible prepare a report and recommendation with respect to the application and refer the application, report, and recommendation to the Director of Finance, who shall, if he finds said documents to be in proper form and otherwise sufficient, refer them to the board. If the Director of Finance finds said documents to be lacking in any respect as to any matter which is subject to the jurisdiction or approval of the director or Department of Education, he shall refer them to the director who shall take such action as may be necessary. The board shall, subject to the provisions of this chapter approve or reject each application referred to it by the Director of Finance. If the board approves of the application, either in whole or in part, it shall, by a resolution adopted by it, apportion to the district from the Public School Building Loan Fund the amount applied for, or such portion thereof as the board may deem appropriate; provided, that it may order that the apportionment or any part thereof shall be paid in progressive installments at such times and under such conditions as it may then prescribe. This shall be known as a conditional apportionment and shall become final only if the vote provided for in Section 5050 is favorable and if bonds are authorized and sold in the amounts prescribed by the board, and the proceeds of the bonds sold earmarked for the project as approved. The conditional apportionment shall remain effective for a period of nine months

from the date of said resolution of the board, and if it does not become a final apportionment by that date, it shall become void and the money so apportioned shall become again available for apportionment pursuant to this chapter.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5050. No apportionment to a school district shall become final unless: (a) the total amount of bonds of the district, as of the date on which the conditional apportionment is made, exceeds ninety-five percent (95%) of the total amount of the bonds of the district permitted by the Education Code, or any law, to be issued, or (b) if the total amount of the bonds of the district outstanding and unpaid is less than ninety-five percent (95%) of the amount of the bonds permitted to be issued by the district, the amount of district bonds outstanding is within ten thousand dollars (\$10,000) of the total bond limit permitted, as of the date on which the conditional apportionment is made. At the time the board makes a conditional apportionment pursuant to Section 5048, it shall determine the amount of bonds required to be issued and sold by the district, the proceeds of which shall be applied to the cost of the project for which the apportionment is sought, and shall make such apportionment conditioned upon the approval and sale of such bonds by the district.

No apportionment to a school district shall become final unless, at an election called by the governing board of the district, two-thirds of the qualified electors of the district voting thereat have authorized the governing board of the district to accept, expend, and repay, as provided in this chapter, an apportionment under the provisions of this chapter. Such election shall be combined with and held at the same time as the bond election to authorize the amount of bonds required by the board, if any, and shall be called, held, and conducted in the same manner as are elections to authorize the issuance of school district bonds, except that the ballot, in addition to the bond proposition, shall contain substantially the following words:

"Shall the governing board of the _____ school district be authorized to accept and expend an apportionment in an amount not to exceed \$_____ from the State of California under and subject to the provisions of Chapter 1.6 of Division 3 of the Education Code which amount is subject to repayment as provided by said chapter? Yes _____
No _____."

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5059. The State Controller shall make the deduction provided by Section 5058 during each fiscal year, as herein provided, until the principal amount of the apportionment made to the district for such grade level, and all accrued interest due thereon, has been withheld; but no

interest shall accrue or become due and payable to the State with respect to the principal amount of any such apportionment after the expiration of 25 years from the first day of January of the fiscal year next succeeding the date of the warrant issued by the State Controller covering the payment to the county treasurer of each portion of such apportionment. At the expiration of 30 years from the first day of January of the fiscal year next succeeding the date of the warrant issued by the State Controller covering the payment to the county treasurer of each portion of such apportionment, any unpaid balance of the principal amount of any such apportionment, including all interest included in such principal amount, shall be canceled on the books of the State Controller, and the State shall have no further right to the repayment of such unpaid balance.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5061. The State Controller shall determine and maintain a record of the amount due the State in connection with each apportionment made to each grade level of a district under the provisions of this chapter. He shall compute interest on the original amount of the apportionment at the rate fixed by the board, from the date of issuance of the State Controller's warrant covering the payment to the county treasurer of any portion of the apportionment until the first day of January of the fiscal year next succeeding that in which such warrant was issued. Thereafter, interest shall accrue to and be compounded as a part of the principal amount due the State pursuant to such apportionment, on the first day of the following January of each year, until the principal and interest have been paid, or until the interest ceases to accrue, as provided in this chapter. No interest shall accrue on the principal amount of any apportionment because of the withholding of the annual repayment from apportionments made to school districts from the State School Fund on dates subsequent to the first day of January of the year in which the computation of the annual repayment is determined.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5065. Unless the board has received the certificates of the county superintendent of schools required by Section 5050.1 within nine months from the date of the conditional apportionment, it shall, at the expiration of said nine months' period, void said conditional apportionment and shall certify this fact to the State Controller. Each final apportionment made by the board under this chapter shall be certified by it to the State Controller who shall from time to time draw his warrant on the State Treasurer in favor of the county treasurer of the county having jurisdiction over the district in accordance with the terms of such final apportionment. The warrant shall be exempt from the provisions of Division 4 of Title 2 of

the Government Code and shall be paid by the State Treasurer from the Public School Building Loan Fund.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5072. Any portion of an apportionment paid to a school district under this chapter shall be available for expenditure by its governing board for three years after the date on which the warrant covering such portion of the apportionment was issued by the State Controller. For the purposes of this chapter, an apportionment shall be deemed to be expended at the time and to the extent that the amount thereof on deposit in the county treasury has been encumbered by the creation of a valid obligation on the part of the school district. Upon the expiration of its period of availability, the unencumbered balance of any apportionment made under this chapter shall become due and payable to the State of California; and the governing board of the school district and the county treasurer shall, at the time of the next county settlement following the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer, out of the funds, and in the manner specified in Section 5071 of this code. Such payment shall, on order of the State Controller, be deposited in the Public School Building Loan Fund in the State Treasury.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5073. Whenever a school district receives an apportionment under this chapter for the purchase or improvement of a school building site and within a period of three years after the date on which the warrant covering the appropriate portion or portions of the apportionment was drawn on the State Treasurer from the Public School Building Loan Fund, sells or otherwise disposes of such site or the improvements thereon, or any portion thereof, purchased or improved in whole or in part from such apportionment, or within said period of three years does not begin to use such site or the improvements thereon for the purpose or purposes for which said apportionment was made, the board shall demand the return by the school district of the total amount apportioned to and received by the school district for such purpose or purposes or, in case of a sale of a portion of such site or the improvements thereon, a proportionate share of such apportionment, taking into consideration any improvement of the site from such apportionment. Written notice of such demand, setting forth the amount due the State pursuant thereto, shall be furnished by the

board to the governing board of the school district, the county superintendent of schools, the county auditor, the county treasurer of the county whose county has jurisdiction over the school district, and the State Controller. Upon receipt of such notice and demand, the governing board of the school district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Public School Building Loan Fund.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

Amended by Chapter 54, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

5153.3. In addition there shall be provided:

(a) Four million seven hundred thousand dollars (\$4,700,000) reduced by a sum obtained by multiplying the total average daily attendance in the elementary school districts, high school districts and junior college districts of the State during the preceding school year by two dollars (\$2).

(b) Three million three hundred fifty thousand dollars (\$3,350,000) for apportionment for growth pursuant to Article 11.6 of Chapter 15.

Added by Chapter 74, Statutes of 1950 First Extraordinary Session.
(See note following Section 7116.)

6714. Repealed by Chapter 74, Statutes 1950 First Extraordinary Session.

6904. In computing the average daily attendance of a school district, there shall be included only the attendance of pupils while engaged in educational activities required of such pupils and under the immediate supervision and control of an employee of the district who possessed a valid certification document, registered as required by law, authorizing him to render service in the capacity and during the period in which he served.

Added by Chapter 74, Statutes of 1950 First Extraordinary Session.
(See note following Section 7116.)

6951. The units of average daily attendance in grades 13 and 14 in each junior college of a district for a fiscal year shall be computed by dividing the total number of class hours of pupils attendance in the junior college during the fiscal year by 525. A class hour of attendance for the

purposes of this section is defined as not less than 50 minutes exclusive of passing time.

Amended by Chapter 74, Statutes of 1950 First Extraordinary Session.
(See note following Section 7116.)

7011-7014. Article 2 of Chapter 15 of Division 3 repealed by Chapter 74, Statutes 1950 First Extraordinary Session.

Article 2. Computation of Additional Allowances to
School Districts for Transportation

7011. The Superintendent of Public Instruction shall allow to each school district eligible therefor an amount computed by multiplying the total average daily attendance in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by two dollars (\$2), which said sum shall be included in the amount provided in subdivision (a) of Section 5153.

7012. The Superintendent of Public Instruction shall allow to each school district such amount as is required by this article.

7013. "Transportation" as used in this article includes, unless the context otherwise requires:

(a) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(b) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(c) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

7014. He shall allow to each elementary school district, high school district, and junior college district, except as to any to which Section 7034 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year, as approved by him in accordance with such regulations as he may establish. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than two cents (\$0.02) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than eight cents (\$0.08) of the computed tax rate less two cents (\$0.02) and (b) 100 percent of the amount which

would be produced by the computed tax rate in excess of eight cents (\$0.08).

He shall allow to each high school district maintaining a junior college, except as to any to which Section 7034 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year, as approved by him, in accordance with such regulations as he shall establish. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents (\$0.12) of the computed tax rate less three cents (\$0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$0.12).

7015. He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2, the formation of which became effective on July 1, 1948 or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of the next paragraph shall control as to such district.

He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year as approved by the Superintendent of Public Instruction in accordance with such regulations as he may establish. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents (\$0.12) of the computed tax rate less three cents (\$0.03) and (b)

100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$0.12).

He shall allow to each unified school district maintaining a junior college, except as to any to which Section 7034 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year, as approved by him in accordance with such regulations as he may establish. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents (\$0.16) of the computed tax rate less four cents (\$0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$0.16).

7016. He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949 governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year, as approved by him, in accordance with such regulations as he shall establish. He shall, if such group includes an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or includes an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents (\$0.12) of the computed tax rate less three cents (\$0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$0.12).

He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year, as approved by him, in accordance with such regulations as he may establish. He shall, if such group includes an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or includes an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents (\$.16) of the computed tax rate less four cents (\$.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$.16).

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the group certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017. In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948 or thereafter, there shall be included in addition to the current costs of the district the cost of school busses for the first fiscal year in which it purchases school busses determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools within the district, the entire cost of such busses. This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to

expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7019. The Superintendent of Public Instruction shall not apportion during any fiscal year in excess of four million seven hundred thousand dollars (\$4,700,000) including the amount computed by multiplying the total average daily attendance in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by two dollars (\$2) pursuant to Section 7011, under this article.

7020. In the event the amount available under Section 7037 for apportionment during any fiscal year is less than the total allowances computed under this article for such fiscal year, the amounts allowed shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

Added to Chapter 15 of Division 3 by Chapter 74, Statutes 1950 First Extraordinary Session.

(See note following Section 7116.)

7091. The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each elementary district pursuant to Articles 6 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any elementary school district pursuant to Articles 6 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount computed for such district pursuant to Articles 6 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any elementary school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by one hundred sixty dollars (\$160) and had the tax used in

making the computation for the district under Article 9 of this chapter been seventy cents (\$0.70).

Amended by Chapter 74, Statutes 1950 First Extraordinary Session.
(See note following Section 7116.)

7092. The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6952, and 6961 by two hundred ten dollars (\$210) and had the tax used in making the computation for the district under Article 9 of this chapter been fifty cents (\$0.50).

Amended by Chapter 74, Statutes 1950 First Extraordinary Session.
(See note following Section 7116.)

7094. Repealed by Chapter 74, Statutes 1950 First Extraordinary Session.

7095. No state equalization aid shall be allowed under this article, during the Fiscal Year 1950-1951, or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax not less than that set forth in Article 9 of this chapter for the district, and no district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid.

Amended by Chapter 74, Statutes 1950 First Extraordinary Session.
(See note following Section 7116.)

Article 11.6. Apportionment for Growth

7109. (a) "Single elementary school district" means an elementary school district which is not included within a union elementary school district, joint union elementary school district, or unified school district.

(b) "Eligible school district" means a single elementary school district which was in existence for all purposes on July 1, 1948 and a union elementary school district, joint union elementary school district, or unified school district which was in existence for all purposes on July 1, 1949 and as to which all of the following are true:

(1) The average daily attendance in the regular full-time day elementary and kindergarten schools of the district for the then current fiscal year as estimated by the governing board of the district, in the manner prescribed by, and as approved by the Superintendent of Public Instruction, will exceed the average daily attendance in the regular full-time day elementary and kindergarten schools of the district for the preceding fiscal year by 0 percent if the assessed valuation of the district per unit of actual average daily attendance in the regular full-time day elementary and kindergarten schools of the district for the preceding fiscal year as shown by the 1949 equalized assessment roll of the district for such preceding fiscal year is one thousand dollars (\$1,000) or less, and by an additional 1 percent for each one thousand dollars (\$1,000) or fraction of one thousand dollars (\$1,000) the assessed valuation of the district per unit of actual average daily attendance in the regular full-time day elementary and kindergarten schools of the district for the preceding fiscal year as shown by the 1949 equalized assessment roll of the district for such preceding fiscal year exceeds one thousand dollars (\$1,000), but in any event by not less than 10 units of average daily attendance.

(c) "Allowed average daily attendance" means the average daily attendance of a district for the then current fiscal year as estimated by the governing board of the district and approved by the Superintendent of Public Instruction pursuant to this section less the increase in average daily attendance required to constitute a district an eligible school district under this section.

7109.1. The Superintendent of Public Instruction shall not later than March 1st of each fiscal year make the apportionments provided for in this article.

7109.2. The Superintendent of Public Instruction shall allow to each eligible school district as to which the requirements of Section 7161 have been met an amount which he shall determine in the following manner:

(a) He shall compute for each such district the amount of a foundation program for school support under Article 6 of this chapter and Section 7111 except that such foundation program shall be computed on the allowed average daily attendance of the district.

(b) He shall compute the amount of district aid for such district under Article 10 of this chapter or Section 7111, as the case may be, except that in making such computation the assessed valuation used shall be that shown by the current equalized assessment roll of the district.

(c) He shall compute the amount of basic state aid for such district under Article 7 of this chapter except that in making such computation the average daily attendance of the district used shall be the allowed average daily attendance of the district.

(d) He shall then deduct from the amount of the foundation program computed under this section the amount of district aid computed for the district under this section.

(e) He shall then compare the amounts computed for such district under (c) and (d) and from the larger of the amounts, he shall deduct (1) the total of basic state aid and state equalization aid allowed to the district during the then current fiscal year under Articles 7 and 11 of this chapter on account of the average daily attendance in the regular full-time day elementary and kindergarten schools of the district during the preceding fiscal year.

7109.3. The amount allowed by the Superintendent of Public Instruction to a district under Section 7163 shall be apportioned by him to the district.

7109.4. If the actual average daily attendance in the regular full-time day elementary and kindergarten schools of the district for the then current fiscal year shall prove to be less than the estimated average daily attendance of the district used in computing the allowed average daily attendance of the district under Section 7161, the amount apportioned to the district under this article in excess of what would have been apportioned had such estimated average daily attendance and the actual average daily attendance been the same, shall be certified by the Superintendent of Public Instruction to the State Controller who shall deduct such amount from the apportionments made to such district from the State School Fund during the next fiscal year and shall pay the amount deducted into the State General Fund.

7109.5. The Superintendent of Public Instruction shall furnish abstracts of the apportionments made under this article to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and county superintendents of schools of the several counties of the State having jurisdiction over the districts to which such apportionments are made.

7109.6. The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller who shall draw his warrant during the fiscal year on the funds appropriated by this act in favor of the treasurer of the county having jurisdiction over the district for the amount of such apportionment.

7109.7. All money received by the treasurer of any county from an apportionment made under this article shall be immediately credited

by the treasurer to the general fund of the district exactly as apportioned by the Superintendent of Public Instruction.

7109.8. The Superintendent of Public Instruction shall not apportion in excess of three million dollars (\$3,000,000) during any fiscal year under the preceding sections of this article.

In the event the amount available under this section for any period is less than the total allowances computed under the preceding sections of this article for such period, the amounts allowed for such period shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

7109.9. The governing board of a high school district may apply to the Superintendent of Public Instruction in the form and manner prescribed by him for an apportionment from the funds available under this article because of growth in the number of pupils attending the regular full-time day schools if the number of pupils attending the regular full-time day schools of the district during the then current fiscal year is in excess of the number of pupils attending such schools during the preceding fiscal year and a majority of the members of the governing board of the district so certify. The Superintendent of Public Instruction may apportion to such district from said funds such amount as in his judgment is necessary because of emergency conditions existing in the district. The provisions of Sections 7166, 7167, and 7168 shall apply to such apportionments.

The Superintendent of Public Instruction shall not apportion in excess of three hundred fifty thousand dollars (\$350,000) during any fiscal year under this section.

7109.10. For the purposes of this article a union elementary school district, or joint union elementary school district, or unified school district which was not in existence prior to July 1, 1949, shall, as now constituted, be deemed to have been in existence on July 1, 1948.

Added to Chapter 15 of Division 3 by Chapter 74, Statutes 1950 First Extraordinary Session.

(See note following Section 7116.)

7113. If the total amount allowed from the State School Fund to all junior college districts and to all county school service funds under Articles 5, 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools is less than the total amount provided in the State School Fund on account of such average daily attendance, less the amount computed as provided in Sections 7001 and 7011 on account of such average daily attendance, the balance shall be allowed by the Superintendent of Public Instruction to such districts receiving state equalization aid during the then current fiscal year. The amount allowed each such district shall be in the ratio

that the amount of the balance bears to the total amount computed as equalization aid for all junior college districts multiplied by the amount of equalization aid computed for the district.

Amended by Chapter 74, Statutes 1950 First Extraordinary Session.
(See note following Section 7116.)

7116. If the total amount allowed from the State School Fund to all junior college districts and to all county school service funds under Articles 5, 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools, is larger than the total amount provided in the State School Fund on account of such average daily attendance, minus an amount equal to the amount allowed under Sections 7001 and 7011 on account of such average daily attendance, the amount allowed each such district as state equalization aid from the State School Fund shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid computed for all junior college districts multiplied by the amount of equalization aid computed for the district.

Amended by Chapter 74, Statutes 1950 First Extraordinary Session.

Section 1 of Chapter 74, Statutes 1950 First Extraordinary Session, provides as follows:

"SECTION 1. Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), is repealed."

Sec. 2 of said chapter provides as follows:

"SEC. 2. An act entitled 'An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), shall remain in effect except Section 1 thereof."

Sec. 10 of said chapter provides as follows:

"SEC. 10. It is the intent of the Legislature in enacting this act to continue in effect until July 1, 1951, Chapter 401, Statutes of 1947, and Chapter 1017, Statutes of 1949, as the several provisions of each will be in effect upon the taking effect of this act. It is also the intent of the Legislature that nothing in this act shall in any way

affect enactments contained in any statutes other than those specifically mentioned in this section.

It is also the intent of the Legislature that this act shall continue in effect Chapters 2, 12, 13, 14, 15, and 16 of Division 3, and Sections 8761, 8704, and 9645 of the Education Code as the same are in effect or as they may be amended at the First Extraordinary Session of 1950."

Article 4. Juvenile Halls

7251. In addition, the Superintendent of Public Instruction shall allow for all elementary schools maintained in juvenile halls, juvenile homes, and juvenile camps by the county superintendent of schools, the same amount as he would compute as the foundation program of an elementary school district.

7252. In addition, the Superintendent of Public Instruction shall allow for all secondary schools maintained in juvenile halls, juvenile homes, and juvenile camps by the county superintendent of schools, the same amount as he would compute as the foundation program of a high school district.

Added to Chapter 16 of Division 3 by Chapter 51, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State May 1, 1950. Effective immediately.

7401. Except as otherwise provided by law, the governing board of any school district may, when in its judgment it is advisable, and shall, upon a petition of the majority of the qualified electors residing in the school district, call an election and submit to the electors of the district the question whether the bonds of the district shall be issued and sold for the purpose of raising money for the following purposes:

- (a) The purchasing of school lots.
- (b) The building or purchasing of school buildings.
- (c) The making of alterations or additions to the school building or buildings other than such as may be necessary for current maintenance, operation, or repairs.
- (d) The repairing, restoring, or rebuilding of any school building damaged, injured, or destroyed by fire or other public calamity.
- (e) The supplying of school buildings with furniture or necessary apparatus of a permanent nature.
- (f) The permanent improvement of the school grounds.
- (g) The refunding of any outstanding valid indebtedness of the district, evidenced by bonds.
- (h) The carrying out of the projects or purposes authorized in Section 18010.

Any one or more of the purposes enumerated, except that of refunding any outstanding valid indebtedness of the district evidenced by bonds, may, by order of the governing board entered in its minutes, be united and voted upon as one single proposition.

Amended by Chapter 10, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 18, 1950. Effective immediately.

16441. The governing board of any school district may appoint a supervisor of health, or supervisors of health, consisting of a physician, psychologist, psychiatrist, teacher, nurse, oculist, dentist, optometrist, otologist, chiropodist, school audiometrist, or any one or more of such persons. In case of the appointment of more than one supervisor of health the supervisors may, in the discretion of the board, all be chosen from any one of the classes designated. The board may also appoint such number of nurses and dental hygienists as it may deem necessary to work under the direction of the supervisor of health and may provide for the compensation of such employees. No money set aside for the payment of teachers' salaries or for library purposes shall be used for this purpose.

Amended by Chapter 64, Statutes 1950 First Extraordinary Session.

16443. No physician, psychiatrist, oculist, dentist, dental hygienist, optometrist, otologist, chiropodist, school audiometrist, or nurse not employed in such capacity by the State Department of Public Health, shall be, nor shall any other person be, employed or permitted to supervise the health and physical development of pupils unless he holds a health and development certificate. Any psychologist employed pursuant to this article shall hold a school psychologist credential issued by the State Board of Education.

Amended by Chapter 64, Statutes 1950 First Extraordinary Session.

Article 6. Impaired Mental Health

16501. Upon the report of the principal of a school that a pupil shows evidence of impaired mental health and that a mental examination is desirable, the governing body of the school district may, with the written consent of the pupil's parent or guardian provide for the mental examination of said pupil.

The principal shall not be liable for damages or for any civil or criminal penalty for any report made in good faith in carrying out the provisions of this section.

16502. The governing board of any school district shall make such rules for the mental examination, as provided in Section 16501, of the pupils in the public schools under its jurisdiction as will insure proper care of the pupils and proper secrecy in connection with any condition of impaired mental health noted by the supervisor of health or his assistant and as may tend to the correction of such condition, and any such governing board may consult and cooperate with the Department of Mental Hygiene in formulating such rules. The Department of Mental Hygiene shall cooperate to the full extent of its capacities in aiding and assisting school districts in carrying out the duties imposed by this article.

16503. When evidence of impaired mental health has been noted by the supervisor of health or his assistant, a report shall be made to the parent or guardian of the child, asking the parent or guardian to take such action as will cure or correct the condition. Such report must be made on a form prescribed or approved by the Superintendent of Public Instruction and shall not include therein any recommendation suggesting or directing the pupil to a designated individual or class of practitioner for the purpose of curing or correcting any condition referred to in the report.

The provisions of this section do not prevent a supervisor of health from recommending in a written report that the child be taken to a public clinic or diagnostic and treatment center operated by a public hospital or by the State, county, or city department of public health.

Added to Chapter 3 of Division 8 by Chapter 64, Statutes 1950 First Extraordinary Session.

18010. In addition to the other powers granted the governing board of each school district may provide sewers and drains adequate to treat and/or dispose of sewage and drainage on or away from each school property. For this purpose it may construct adequate systems or acquire adequate disposal rights in systems constructed or to be constructed by others for these purposes without regard to their proximity. The cost thereof shall be paid from the building fund, including any bond moneys therein.

Added by Chapter 10, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 18, 1950. Effective immediately.

19601. The purpose of the Legislature in enacting this chapter in 1943 was to provide for the wartime emergency conditions which necessitated the employment of many mothers as a result of the 24-hour operation of wartime industries necessary for the successful outcome of World War II.

It is hereby declared by the Legislature in enacting amendments to this chapter at the 1950 First Extraordinary Session of the Legislature that such wartime emergency is rapidly disappearing so that the state support for child care centers will no longer be necessary after February 15, 1951, and that while in some communities there is still a need for child care centers, such need is a matter of local rather than state interest and therefore should be supported by the counties or the local school districts after February 15, 1951. As used in this chapter "parent" includes any person having legal custody of a child.

Amended by Chapter 31, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 27, 1950. Effective immediately.

19613.1. Notwithstanding anything to the contrary in Item 79.5 of the Budget Act of 1950, the money appropriated by said item to be apportioned by the Department of Education to school districts maintaining

child care centers pursuant to Chapter 11, Division 9 of the Education Code, and to the governing authorities of state institutions maintaining child care centers, shall be apportioned to such school districts and governing authorities solely in the discretion of the department, upon the basis of demonstrated need.

Added by Chapter 31, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 27, 1950. Effective immediately.

Item 79.5 of the Budget Act of 1950 reads as follows:

"79.5—For administration and support of child care centers for the period July 1, 1950 to February 15, 1951, Department of Education, to be apportioned by the department directly to school districts maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code and to the governing authorities of state institutions maintaining child care centers, in the discretion of the department, upon the basis of demonstrated need 3,000,000 of which not to exceed \$40,000 may be expended by the Department of Education for making apportionments and for supervision of child care centers; provided, that apportionments to school districts from this item shall be made only in such amounts which, together with all other available funds, will provide a program not to exceed \$40 per child in attendance per month; and provided further, that no part of the appropriation made by this item shall be available for expenditure or apportionments unless or until Sections 19601 and 19613.5 of the Education Code are amended so as to authorize state funds to be expended for child care centers."

19613.5. No state funds shall be expended for the operation of child care centers after February 15, 1951. The unencumbered balance of any appropriation for child care centers shall revert to the General Fund February 16, 1951.

Amended by Chapter 31, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 27, 1950. Effective immediately.

19613.7. After February 15, 1951, a school district or a county may provide, either jointly or severally, for the continuance of the child care centers established and maintained in such school district or county. If a county desires to undertake, partially or wholly, the support and maintenance of such child care centers, it may levy a tax to provide funds for such partial or whole support. If a county undertakes the whole support of such child care centers, it may provide for their administration by the county department of social welfare or by contract entered into with the school district in which such child care center is located, or by both. If a county undertakes the partial support of such child care centers, it may either make contributions of the proceeds of the tax levied pursuant to this section to the school districts within such county maintaining child care centers, or may use such proceeds by contributing the services of the county department of social welfare to the child care centers for purposes agreeable to the school districts maintaining such centers.

Added by Chapter 31, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 27, 1950. Effective immediately.

CHANGES IN THE ELECTIONS CODE

5911. The identification envelope shall have printed on its face a declaration substantially in the following form:

IDENTIFICATION ENVELOPE

State of _____ }
County of _____ } ss.

_____ declares: I am a resident of and a voter in _____, Precinct _____, in the City or Town of _____, County of _____, State of California, and I herein enclose my ballot in compliance with Chapter 5, Division 8, of the Elections Code. I declare under the penalty of perjury that the above declarations are to the best of my knowledge and belief true and correct.

Date of Signing

(Signature)

(Residence Address)

Notice—When voting outside the office in which this ballot was issued, you must immediately return it by mail, postage prepaid, to the officer from whom it was received.

MARKED BALLOT ENCLOSED TO BE OPENED ONLY BY CANVASSING BOARD

Sec. 5909, second sentence, Elections Code. "No officer of this State may make any charge for services rendered to any voter under the provisions of this chapter."

Any person making the declaration provided for in this section who wilfully states as true any material matter which he knows to be false is punishable by imprisonment in the state prison for not less than one nor more than fourteen years.

Amended by Chapter 20, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 26, 1950. Effective immediately.

5930. Any voter applying for and receiving an absent voter's ballot may, on any date prior to the date of election for which the ballot is to be voted, appear at the office of the clerk of the county, municipality or district in which he resides and stamp or mark with pen or pencil, and seal his ballot under the scrutiny of that officer, and in the following manner:

(a) The voter shall first display the ballot to the clerk as evidence that it is not marked, and shall then proceed to mark the ballot in the presence

of the clerk, but in such manner that the officer is unable to see how it is being marked. The voter shall then fold the ballot and enclose it in the identification envelope.

(b) The voter shall then make out or cause to be made out and sign to the declaration printed on the face of the envelope and deliver it properly sealed to the officer before whom the ballot is marked.

(c) Upon receipt of the envelope the clerk shall compare the signature thereon with the signature upon the original affidavit of registration and the place of residence as stated on the envelope with that in the affidavit of registration. If it appears that the signature on the envelope is that of the person who signed the original affidavit of registration and that the place of residence as shown thereon is in the same precinct as appears on the affidavit, he shall deposit the envelope in a safe place in his office, to be kept by him and delivered to the proper canvassing board.

Amended by Chapter 20, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 26, 1950. Effective immediately.

5931. At any time on or before the date of an election an absent voter, regardless of whether he is within or without the territorial limits of the United States, may mark his ballot and transmit it to the clerk by mail if:

(a) In the case of any election conducted by the county clerk he is absent from his election precinct, or

(b) In the case of any other election, he is absent from the city or district of his residence, or

(c) He is unable because of disability to go to his polling place.

After marking his ballot the absent voter shall place it in the identification envelope. He shall then fill out and sign the declaration on the envelope and mail it to the office of the clerk of the locality in which he resides.

Upon receipt of the envelope the clerk shall compare the signature thereon with the signature upon the original affidavit of registration and the place of residence as stated on the envelope with that in the affidavit of registration. If it appears that the signature on the envelope is that of the person who signed the original affidavit of registration and that the place of residence as shown thereon is in the same precinct as appears on the affidavit, he shall deposit the envelope in a safe place in his office to be kept by him and delivered to the proper canvassing board.

Amended by Chapter 20, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 26, 1950. Effective immediately.

5931.5. Repealed by Chapter 20, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 26, 1950. Effective immediately.

CHANGE IN THE PENAL CODE

647a. (1) Every person who annoys or molests any child under the age of 14 is a vagrant and is punishable upon first conviction by a fine of not exceeding five hundred dollars (\$500) or by imprisonment in the county jail for not exceeding six months or by both such fine and imprisonment and is punishable upon the second and each subsequent conviction or upon the first conviction after a previous conviction under Section 288 of this code by imprisonment in the state prison not exceeding five years.

(2) Every person who loiters about any school or public place at or near which school children attend, or who loiters in or about public toilets in public parks, is a vagrant, and is punishable by a fine of not exceeding five hundred dollars (\$500) or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment.

Amended by Chapter 34, Statutes 1950 First Extraordinary Session.

CHANGE IN THE WELFARE AND INSTITUTIONS CODE

3451. Any blind resident of California who is eligible for aid under Chapter 1 of this part and who regularly matriculates at the University of California or other institution of higher learning in this State and who is regularly working for an academic degree or certificate of completion shall be deemed eligible to receive aid under Chapter 3 of this part notwithstanding anything contained in Section 3431 to the contrary.

Added by Chapter 45, Statutes 1950 First Extraordinary Session.

CHANGES IN GENERAL LAWS

FIRST VALIDATING ACT OF 1950

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

SECTION 1. The following terms shall have the following meanings herein:

(a) The term "public body" means counties, cities and counties, cities, and public districts of any kind or class, including, without limiting the generality thereof, the following, to wit: School districts of any kind or class, junior college districts, irrigation districts, irrigation district improvement districts, reclamation districts, drainage districts, levee districts, public utility districts, municipal utility districts, municipal improvement districts, sanitary districts, sanitation districts, metropolitan water districts, county water districts, county water works districts, water districts, water storage districts, municipal water districts of any kind, water conservation districts, mosquito abatement districts, county fire protection districts, bridge and highway districts, joint highway districts, highway districts, highway lighting districts, permanent road divisions, road districts, cemetery districts, port districts, river port districts, harbor districts, flood control districts, storm water districts, library districts, fire protection districts, county maintenance districts, assessment districts, park recreation and parkway districts, recreation park and parkway districts, regional park districts, public cemetery districts, local hospital districts, veterans' memorial districts, citrus pest control districts, county water authorities, zones of flood control districts, and the California Toll Bridge Authority.

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

SEC. 2. All public bodies heretofore organized or existing under, or under color of, any law are hereby declared to have been legally organized and to be legally functioning as such public body. Every such public body shall have all the rights, powers, and privileges, and be subject to all the duties and obligations of such a public body regularly formed pursuant to law.

SEC. 3. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 4. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion of such territory.

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for the authorization, issuance, sale, or exchange of bonds of any such public body for any public purpose are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization, issuance, sale, or exchange of such bonds.

All bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

SEC. 6. (a) This act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent to which the same can be effectuated under the State and Federal Constitutions.

(c) Nothing contained herein shall be construed to render the creation of any city or district, or any change in the boundaries of any city or district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Sections 54900 to 54904, inclusive, of the Government Code, is filed within the time and substantially in the manner required by said sections.

(d) This act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined, and shall not operate to confirm, validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective.

SEC. 7. As used in this act, the word "now" means the date this act takes effect; the word "heretofore" means any time prior to such effective date; and the word "hereafter" means any time subsequent to such effective date.

SEC. 8. This act may be cited as the First Validating Act of 1950.

SEC. 9. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: * * *

Added by Chapter 4, Statutes 1950 First Extraordinary Session. Approved by Governor and filed with Secretary of State April 11, 1950. Effective immediately.

SECOND VALIDATING ACT OF 1950

An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

SECTION 1. The following terms shall have the following meanings herein:

(a) The term "public body" means counties, cities and counties, cities, public districts of any kind or class including, without limiting the generality thereof, the following, to wit: School districts of any kind or class, junior college districts, irrigation districts, irrigation district improvement districts, reclamation districts, drainage districts, levee districts, public utility districts, municipality utility districts, municipal improvement districts, sanitary districts, sanitation districts, metropolitan water districts, county water districts, county water works districts, water districts, water storage districts, municipal water districts of any kind, water conservation districts, pest control districts, weed abatement districts, mosquito abatement districts, county fire protection districts, bridge and highway districts, joint highway districts, highway districts, highway lighting districts, permanent road divisions, road districts, cemetery districts, port districts, river port districts, harbor districts, flood control districts, storm water districts, library districts, fire protection districts, county maintenance districts, assessment districts, park recreation and parkway districts, recreation park and parkway districts, regional park districts, public cemetery districts, local hospital districts, veterans' memorial districts, citrus pest control districts, county water authorities, zone of flood control districts, and the California Toll Bridge Authority.

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

SEC. 2. All public bodies heretofore organized or existing under, or under color of, any law are hereby declared to have been legally organized and to be legally functioning as such public body. Every such public body shall have all the rights, powers, and privileges, and be subject to all the duties and obligations of such a public body regularly formed pursuant to law.

SEC. 3. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established. The boundaries of every public body as heretofore established, defined or recorded in any judicial proceedings are hereby confirmed, ratified, and declared legally established.

SEC. 4. The members of the governing board or the officers of every public body heretofore elected or appointed and acting as such, are hereby declared the legally appointed or elected, qualified and acting officers or members of such governing board.

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for the authorization, issuance, sale, or exchange of bonds of any such public body for any public purpose are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization issuance, sale, or exchange of such bonds.

All such bonds heretofore issued, or heretofore authorized to be issued when hereafter issued in substantially the form contemplated in such authorization, shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body.

SEC. 6. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion of such territory.

SEC. 7. This act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings heretofore

taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent to which the same can be effectuated under the State and Federal Constitutions.

(c) Nothing contained herein shall be construed to render the creation of any city or district, or any change in the boundaries of any city or district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Section 54900 of the Government Code, is filed within the time and substantially in the manner required by said section.

(d) This act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined and shall not operate to confirm, validate, or legalize any act, proceeding or other matter which has been finally determined in any legal proceeding to be illegal, void, or ineffective.

SEC. 8. Wherever bonds of any unified school district have heretofore been issued and sold and the notice of the election at which such bonds were authorized did not specify what portion, if any, of said bonds were to be issued for elementary school purposes, what portion, if any, for high school purposes, and what portion, if any, for junior college purposes, and the governing board of such unified school district has heretofore adopted and entered on its minutes a resolution determining what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for elementary school purposes, what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for high school purposes, and what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for junior college purposes, the action of such governing board making such determination is hereby confirmed, validated, and declared legally effective for the purpose of determining or applying the limitations on bonded debt set forth in Sections 4714 and 4965 of the Education Code of the State of California.

SEC. 10. This act may be cited as the Second Validating Act of 1950.

Added by Chapter 72, Statutes 1950 First Extraordinary Session.

SALE OF FRESNO STATE COLLEGE PROPERTY

An act authorizing the sale of property in the County of Fresno and providing for the disposition and use of the proceeds from said sale.

SECTION 1. The Director of Finance is hereby authorized to sell upon such terms and conditions as in his opinion may be for the best

interests of the State any or all of the following real property situated in the County of Fresno, State of California, described as follows:

Parcel 1. The southwest one-quarter (SW $\frac{1}{4}$) of Section Twenty-two (22) Township Thirteen (13) South, Range Twenty (20) East, Mount Diablo Base and Meridian, excepting therefrom the West Fifty-five (55) feet thereof deeded to the State of California.

The Director of Finance may sell said property to the owners from which the State acquired the property by final order and decree of condemnation at the same price the State paid said owners for said property.

Parcel 2. The Southeast one-quarter (SE $\frac{1}{4}$) of the Southeast one-quarter (SE $\frac{1}{4}$) in Section Six (6), Township Eight (8) South, Range Twenty-six (26) East, Mount Diablo Base and Meridian.

SEC. 2. Any money received from the sale of Parcel 1 shall be paid into the State Treasury and is hereby appropriated to the Department of Education for acquisition of real property, to be expended under the provisions of the Property Acquisition Act, or for construction, improvements, and equipment for the Fresno State College.

Any money received from the sale of Parcel 2 shall be paid into the General Fund in the State Treasury.

Added by Chapter 33, Statutes 1950 First Extraordinary Session.

SENATE CONCURRENT RESOLUTION

THE FLAG

Senate Concurrent Resolution No. 7—Relative to regulations affecting the public schools of the State.

WHEREAS, In these days of world unrest it is especially necessary that all citizens be conscious of the great blessings which are the heritage of a Nation of free people; and

WHEREAS, The American people should at all times be mindful of their heritage, and the ideals and freedoms which are concomitant with being an American; and

WHEREAS, The Flag is the symbol of the United States of America and the purpose, ideals, and freedoms for which it stands; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of California hereby respectfully requests that the State Board of Education adopt appropriate regulations requiring the governing boards of all school districts to fix a time during the last week of each school year in which to emphasize the meaning of the Flag, and the purpose, ideals, and freedoms for which it stands; and be it further

Resolved, That the Legislature of the State of California hereby respectfully requests the Department of Education to cooperate with local school authorities and civic organizations for this purpose; and be it further

Resolved, That the Secretary of the Senate is requested to transmit copies of this resolution to the members of the State Board of Education, and to the Superintendent of Public Instruction.

Filed with Secretary of State, March 27, 1950. Resolution Chapter 9, Statutes 1950.

ASSEMBLY CONCURRENT RESOLUTIONS

1950 PUBLIC SCHOOLS WEEK

Assembly Concurrent Resolution No. 6—Relative to participation in the events of the Thirty-first Annual Public Schools Week.

WHEREAS, The Thirty-first Annual Public Schools Week will be observed in California during the week of April 24th to April 30th and during the past 30 years the observance of this week has become one of the most popular educational activities in the history of the State; and

WHEREAS, It has been promoted, sponsored and financed by civic-minded citizens whose only purpose has been to bring to the attention of our citizenry the importance of the public schools in preserving and developing "the American way of life"; and

WHEREAS, Public school education is a democratic tradition and the public schools provide each citizen with the opportunity for education without restrictions as to race, creed or color; and

WHEREAS, The slogan of the Thirty-first Annual Public Schools Week is: "*Democracy in Action*"; and

WHEREAS, The importance of adequate, competent education must be brought home to each citizen of California so that he may be made aware of the necessity for the continued growth of public school education; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That all citizens of the State of California are hereby urged to take notice of and participate in the events of Public Schools Week, as a demonstration of the importance of public education in the effort to preserve and make stronger the American way of life.

Filed with Secretary of State April 4, 1950. Resolution Chapter 5, Statutes 1950.

PROPOSED LEGISLATION OF STATE AGENCIES

Assembly Concurrent Resolution No. 28—Relative to the introduction of bills at the request of state agencies during the 1951 General Session of the Legislature.

WHEREAS, During the January portion of the 1951 General Session of the Legislature thousands of bills may be introduced into the two houses of the Legislature; and

WHEREAS, The people of the State of California have by constitutional amendment limited the length of general sessions of the Legislature to 120 calendar days; and

WHEREAS, It is inevitable that many of the bills must be drafted during the portion of the session which precedes the constitutional recess, which entails a great amount of work upon the part of the Legislative Counsel Bureau and Members of the Legislature; and

WHEREAS, A very substantial portion of the bills introduced are prepared by or on behalf of the various state departments, boards, commissions, and officers; and

WHEREAS, Such bills could well be prepared prior to the convening of the session, which would materially lessen the volume of work to be done during January, and would expedite the legislative process; and

WHEREAS, There are a number of interim committees of the Legislature in existence for the purpose of study and recommendation of proposed legislation, and much time could be saved if the various state departments, boards, commissions, and officers contact such committees with respect to proposed legislation prior to the convening of the 1951 General Session; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That every state department, board, commission, and officer is hereby requested to contact the proper legislative committee with reference to any proposed legislation before the convening of the 1951 General Session of the Legislature; and be it further

Resolved, That the administrative officer of each state agency having bills at the 1951 General Session of the Legislature submit evidence during the first week after the constitutional recess and request such bills be set for an early hearing by the chairman of the respective committees; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the chief administrative officer of each state agency.

Filed with Secretary of State April 15, 1950. Resolution Chapter 24, Statutes 1950 First Extraordinary Session.

ASSEMBLY JOINT RESOLUTION

INDIAN EDUCATION

Assembly Joint Resolution No. 11—Relative to memorializing Congress to appropriate sufficient sums of money to continue the activities of the Bureau of Indian Affairs in California.

WHEREAS, On February 28, 1950, the subcommittee on the Interior Department of the Committee on Appropriations of the House of Representatives voted to delete from the appropriations bill to the Interior Department the sum of \$2,647,871, the total necessary for operations of the Bureau of Indian Affairs in California for the Fiscal Year 1950-51; and

WHEREAS, This action was taken largely in reliance on testimony of individual Indians claiming to represent all of the California Mission Indians; and

WHEREAS, Since the action of said subcommittee protest meetings have been held by Indians from at least 13 reservations in California expressing disapproval; and

WHEREAS, It now appears that the individual Indians who appeared before the subcommittee had no authority to represent the said Mission Indians; and

WHEREAS, Failure of Congress to make appropriations for activities of the Bureau of Indian Affairs in California for the Fiscal Year 1950-51 will place a heavy burden on the State for education of Indian children now educated by the Federal Government, and the burden of proceeding with health and sanitation projects now conducted among the Indians by the Federal Government; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the Congress of the United States to reconsider the action of said subcommittee and to take such action as may be necessary to effectively protect the interests of the Indian population in California by appropriating sufficient sums to carry out the activities of the Bureau of Indian Affairs in the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Member of Congress from the State of California.

Filed with Secretary of State April 13, 1950. Resolution Chapter 20, Statutes 1950 First Extraordinary Session.

ASSEMBLY RESOLUTIONS

USE OF SCHOOL GROUNDS FOR RECREATIONAL ACTIVITIES

House Resolution No. 24

Relative to the opening of school grounds for recreational activities

WHEREAS, A great many school facilities are closed after the school day, holidays and week ends; and

WHEREAS, One of the largest capital investments of the people of the State of California is the school system; and

WHEREAS, The majority of these schools already have the necessary recreational facilities at their disposal, or easily so, by merely constructing new lighting equipment; and

WHEREAS, The existing juvenile delinquency problem may, in part, be adequately combatted by proper use of leisure time; and

WHEREAS, There is great need for more recreational facilities for the youth and senior citizens of our State with supervised activities; and

WHEREAS, There exists a serious traffic hazard by children playing in streets near schools with a possibility of being killed or injured by automobile and truck traffic; and

WHEREAS, There is doubt existing on the part of our school boards and other political subdivisions of the State as to the stand and legal authority and justification for the extra expense involved in the use of these facilities after school hours; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation hold hearings throughout the State of California to ascertain why our schools are not being fully utilized to the benefit of the taxpayer and what funds will be needed to open every school yard as an afternoon, holiday and week-end playground; and be it further

Resolved, That the Committee recommend to the Legislature the necessary legislation for the use of our school recreational facilities for afternoon, holiday and week-end recreation.

Adopted March 31, 1950. (1950 First Extraordinary Session)

ASSEMBLY INTERIM COMMITTEE ON PUBLIC EDUCATION

House Resolution No. 46

Relative to augmenting the funds of the Assembly Interim Committee on Public Education

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of four thousand dollars (\$4,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Education (created by House